

J.F.W

1731

92



JP21470.A09

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Markus OECHSLE et al.

Art Unit: 1731

Appln. No. : 09/936,516

Filed : December 5, 2001

Examiner: M. Halpern

For : DEVICE FOR DETERMINING THE
CHARACTERISTICS OF A RUNNING
MATERIAL

REQUEST FOR INITIALED PTO-1449 FORM

Commissioner For Patents
PO Box 1450,
Alexandria, Virginia 23313-1450

RECEIVED
OCT 02 2003
Office of Patent Publication
Director's Office

Sir:

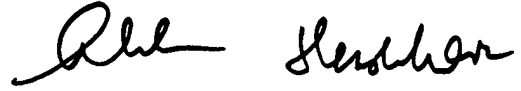
On July 24, 2003, Applicants filed an Information Disclosure Statement, in the above-captioned matter. Applicants note that the Notice of Allowability dated August 28, 2003 indicates that the "Information Disclosures Statements (PTO-1449), Paper No. July 24, 2003" was attached. Applicants note that the initialed PTO-1449 form was in fact not returned. Accordingly, Applicants respectfully request that the Examiner forward an initialed copy of the PTO-1449 form.

For the convenience of the Examiner, Applicants are submitting herewith a copy of the Information Disclosure Statement filed July 24, 2003, a copy of the form PTO-1449 filed therewith, and a copy of the date-stamped mailroom receipt evidencing the filing of the same.

P21470.A09

Should there be any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Markus OECHSLE et al.

A handwritten signature in black ink, appearing to read "Neil F. Greenblum".

Reg. No. 45, 294

Neil F. Greenblum

Reg. No. 28,394

October 1, 2003
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

GREENBLUM & BERNSTEIN, P.L.C.
Intellectual Property Causes
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

7/23/2003

File In: M41

The Patent Office Date stamp hereon is an acknowledgment that, on the date indicated, the Patent Office received the following:

- (X) Amendment Response under 1.116
- () Executed Assignment and cover letter
() by facsimile
- () Executed S.E.S. () S.E.S. Assertion
- () Req. for Ext. of Time
- () Fee Filing ()
Recording ()
Issue ()
Extension ()
- () Fee Transmittal
- () Maintenance Fee Payment
- () PTOL-85B Issue Fee
- () Letter to Draftsman
- () Design Patent Application Transmittal
- () Utility Patent Application Transmittal
- () Provisional Application Cover Sheet
- () Continued Prosecution Application
(CPA) Request Transmittal
- () Request for Continued Examination (RCE)
including Submission
- () Cover Letter
- () Check No. for \$
- () Rule 53b and 53f Letter for
Unexecuted Application
- () Claim of Priority & Certified
Copy of _____
- () Declaration () Supplemental
() New () Unexecuted
() Executed by facsimile
- (X) Transmittal Letter
- () Patent Application
() Provisional () Reexam
() Reissue () Design
() Continuation () CIP
_____ pages (w/abstract)
_____ claims _____ independent
_____ sheets of drawings
_____ figures
- (X) I.D.S. form PTO-1449 &
References (X) as attached
() as listed on
reverse
- () One self-addressed postcard
- () Certification under 1.97(e)
- () Certificate of Mailing (C-O-M)
- () Returned Envelope



In the matter of : DEVICE FOR DETERMINING THE CHARACTERISTICS OF A
RUNNING MATERIAL WEB

COPY

Applicant : Markus DECHSLE et al.

Application No. : 09/936,516

Filed : 12/05/2001

Patent No. :

Issued :

Docket : P21470

JP

COPY

[illegible]

P21470.A08

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Markus OECHSLE et al.

Art Unit: 1731

Appln. No. : 09/936,516

Filed : December 5, 2001

Examiner: M. Halpern

For : DEVICE FOR DETERMINING THE
CHARACTERISTICS OF A RUNNING
MATERIAL

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner For Patents
PO Box 1450,
Alexandria, Virginia 23313-1450

COPY

Sir:

Pursuant to the duty of disclosure set forth in 37 CFR 1.56 and in accordance with the provisions of 37 CFR 1.97 and 1.98, the following information is brought to the attention of the Examiner for consideration during examination of the instant application.

Applicant submits herewith a copy of copending application No. 09/936,526 which was cited by the Examiner in the instant application as part of a double patenting rejection. For the Examiner's convenience, Applicant also submits copies of the documents made of record in the copending application.

- (1) US Patent Application No. 09/936,526;
- (2) DE 39 01 378;
- (3) U.S. Patent No. 4,614,044 to Gerhard FIEDLER et al.;

P21470.A08

- (4) DE 32 34 598;
 - (5) GB 1 266 221 to William ADAMS et al.;
 - (6) U.S. Patent No. 5,377,428 to Ralph CLARK;
 - (7) GB 1 247 891 to Richard HICKMAN et al.;
 - (8) U.S. Patent No. 5,715,158 to Shih-Chin CHEN;
 - (9) DE 35 39 354;
 - (10) WO 99 04090 to Taisto HUHTELIN et al.;
 - (11) U.S. Patent No. 4,204,337 to Friedrich ROOS et al.;
 - (12) U.S. Patent No. 3,961,425 to S. SWANSON et al.;
 - (13) U.S. Patent No. 5,071,514 to Kenneth FRANCIS;
 - (14) DE 195 10 009;
 - (15) U.S. Patent No. 5,540,000 to John ROSENBURGH et al.;
 - (16) GOERTZ: "Neue Beispiele für die Effizienz von Trockenpartieuntersuchungen"
- DAS PAPIER, no. 12, 1995, pages 771-775, XP000907079;
- (17) TAPPI Proceedings 1992 Engineering Conference", p. 629-638 and 639-654;
 - (18) "Pulp & Paper Canada", 98:12(1997), p 111-113;
 - (19) DE 198 44 927.5;
 - (20) U.S. Patent No. 6,254,726 to STEINER et al.;
 - (21) DE 198 01 140;

COF

P21470.A08

- (22) U.S. Patent No. 6,171,642 to KUSTERMANN;
- (23) U.S. Patent No. 6,099,620 to ARNO et al.;
- (24) U.S. Patent No. 6,024,835 to FIORE et al.;
- (25) Article titled "Measurement of Reference Experimental Drying Data For The Multi-Cylinder Paper Dryer", by Stenstrom et al., pages 1179-1186;
- (26) U.S. Patent No. 3,622,448 to ADAMS et al.;
- (27) U.S. Patent No. 3,666,621 to ADAMS;
- (28) U.S. Patent No. 3,731,520 to HICKMAN et al.;
- (29) U.S. Patent No. 5,358,606 to MAKKONEN;
- (30) DE 29 26 072 C2;
- (31) DE 196 53 477 A1;
- (32) DE 38 30 308 A1;
- (33) DE 196 54 345 A1;
- (34) DE 195 42 448 A1; and
- (35) DE 36 30 561 A1.

COPY

Copies of the above-noted documents are enclosed together with a duly completed Form PTO-1449. The Examiner is accordingly requested to consider each of these documents, and to make them of record in this application by initialing in the appropriate spaces on the Form PTO-1449. Applicant respectfully requests that the Examiner include

P21470.A08

a copy of the initialed Form PTO-1449 with the next communication from the U.S. Patent and Trademark Office.

Applicant notes that this Information Disclosure Statement is being filed after receipt of a Final rejection and that Applicant is unable to make the required certification. However, Applicant requests that the Examiner consider the listed documents at least because the finality of the instant rejection is improper and/or because the listed documents have already been presumably reviewed and considered by the Examiner in the copending application and the instant application, as part of the Examiner's decision to reject the two applications over each other on the grounds of double patenting. Thus, no fee is believed to be necessary for considering the listed documents.

However, if necessary, the undersigned hereby authorizes the Commissioner to charge any fee necessary for the consideration of this statement, including any payment under 37 C.F.R. § 1.17(p), to Applicant's Deposit Account No. 19-0089.

[Handwritten signature]

P21470.A08

Should there be any questions, the Examiner is invited to contact the undersigned at the below listed number.

Respectfully submitted,
Markus OECHSLE et al.

Neil F. Greenblum
Reg. No. 28,394

July 21, 2003
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

COPY

Form PTO-1449	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. P21470	Serial No. 09/936.516
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Applicant Markus OECHSLE et al.	
		Filing Date December 5, 2001	Group 1731

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4 6 1 4 0 4 4	09/30/86	FIRDLER et al.			
		5 3 7 7 4 2 8	01/03/95	CLARK			
		5 7 1 5 1 5 8	02/03/98	CHEN			
		4 2 0 4 3 3 7	05/27/80	ROOS et al.			
		3 9 6 1 4 2 5	06/08/76	SWANSON et al.			
		5 0 7 1 5 1 4	12/10/91	FRANCIS			
		5 5 4 0 0 0 0	07/30/96	ROSENBURGH et al.			
		6 2 5 4 7 2 6	07/03/01	STEINER et al.			
		6 1 7 1 6 4 2	01/09/01	KUSTERMANN			
		6 0 9 9 6 2 0	08/08/00	ARNO et al.			
		6 0 2 4 8 3 5	02/15/00	FIGORE et al.			
		3 6 2 2 4 4 8	11/23/71	ADAMS et al.			
		3 6 6 6 6 2 1	05/30/72	ADAMS			
		3 7 3 1 5 2 0	05/08/73	HICKMAN et al.			
		5 3 5 8 6 0 6	10/25/94	MAKKONEN			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
		3 9 0 1 3 7 8	08/10/89	GERMANY				
		3 2 3 4 5 9 8	03/22/84	GERMANY				
		1 2 6 6 2 2 1	03/08/72	UNITED KINGDOM				
		1 2 4 7 8 9 1	09/29/71	UNITED KINGDOM				
		3 5 3 9 3 5 4	05/14/87	GERMANY				
		19 5 1 0 0 0 9	09/26/96	GERMANY				
		99 / 0 4 0 9 0	01/28/99	W.I.P.O.				

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. P21470	Serial No. 09/936,516
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Applicant Markus OECHSLE et al.	
		Filing Date December 5, 2001	Group 1731

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	1 9 8 4 4 9 2 7	04/06/00	GERMANY			
	1 9 8 0 1 1 4 0	07/15/99	GERMANY			
	2 9 2 6 0 7 2	01/10/80	GERMANY			
	1 9 6 5 3 4 7 7	06/25/98	GERMANY			
	3 8 3 0 3 0 8	04/13/89	GERMANY			
	1 9 6 5 4 3 4 5	06/25/98	GERMANY			
	1 9 5 4 2 4 4 8	05/15/97	GERMANY			
	3 6 3 0 5 6 1	03/26/87	GERMANY			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

1	Copy of U.S. Application No. 09/936,526.
2	GOERTZ: "Neue Beispiele für die Effizienz von Trockenpartieuntersuchungen" DAS PAPIER, no. 12, 1995, pages 771-775, XP000907079.
3	TAPPI Proceedings 1992 Engineering Conference", p. 629-638 and 639-654.
4	"Pulp & Paper Canada", 98:12(1997), p 111-113.
5	Article titled "Measurement of Reference Experimental Drying Data For The Multi-Cylinder Paper Dryer", by Stenstrom et al., pages 1179-1186.

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.